

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3802

IN THE MATTER OF:

Served August 6, 1991

Application of PALMA'S TOUR INC.     )  
for a Certificate of Authority --     )  
Irregular Route Operations            )

Case No. AP-91-24

By application filed June 19, 1991, Palma's Tour Inc. (Palma's or applicant), a Maryland corporation, seeks a Certificate of Authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

By Order No. 3782, served June 21, 1991, notice of this application was given. Applicant was directed to publish further notice in a newspaper and file proof of publication. Applicant complied with these requirements, and no protests or comments were filed. No person has requested an oral hearing in this case. The application is now ready for decision.

SUMMARY OF EVIDENCE

Applicant proposes to initiate service with one 1989 vehicle seating 12 persons, including the driver. The application states that Palma's has parking facilities and office facilities at 4450 South Park Avenue, Chevy Chase, MD. Applicant's president would drive the vehicle. Individual-fare operations would consist of trips to or from Washington National Airport for \$8 a person within a radius of 10 miles, plus 30¢ for each extra mile. Trips to or from Washington Dulles International Airport would be \$18 per person within a radius of 30 miles, plus 30¢ for each extra mile. Rates are listed for Baltimore-Washington International Airport, but such service is not within this Commission's jurisdiction. In addition, Palma's proposes to conduct group charter tours at the rate of \$35 an hour. The application indicates that Palma's has multilingual capability.

The application contains four notarized statements of support. Rev. J. I. Somoza, pastor of Our Lady Queen of the Americas Church, Washington, DC, describes a need for tour service 2-3 times a week. A. M. Rodriguez, manager of Fiesta Travel, Washington, DC, describes a need for airport transportation for 70-100 persons a month. M. Checa, president of Solar Tours, Washington, DC, describes a need for airport transportation for 60-100 people a month. G. Vasquez, comptroller of Channel Inn, Washington, DC, describes a need for 240 people a month to be transported from the hotel to the airports. In all cases, the need described for airport transportation includes BWI without discrete quantification.

Applicant's president certifies that Palma's will comply with applicable requirements of the United States Department of Transportation, the Compact, and the Commission's rules and regulations.

Palma's balance sheet as of June 19, 1991, shows current assets of \$2,000 and undepreciated fixed assets of \$11,750, for total assets of \$13,750. Applicant shows no liabilities; equity is \$13,750. For the first 12 months of WMATC operations, Palma's projects \$37,000 of operating income and \$33,418 of operating expenses, resulting net income of \$3,582. Applicant's president is its sole shareholder.

#### DISCUSSION AND CONCLUSIONS

This case is governed by the Compact, Title II, Article XI, Section 7(a) which provides in relevant part that:

. . . the Commission shall issue a certificate to any qualified applicant, . . . if it finds that-

(i) the applicant is fit, willing, and able to perform that transportation properly, conform to the provisions of this Act, and conform to the rules, regulations, and requirements of the Commission; and

(ii) that the transportation is consistent with the public interest.

Based on the evidence of record in this case, the Commission finds applicant to be fit, willing, and able to perform the transportation properly and to conform to applicable regulatory requirements. The Commission further finds that the proposed transportation is consistent with the public interest.

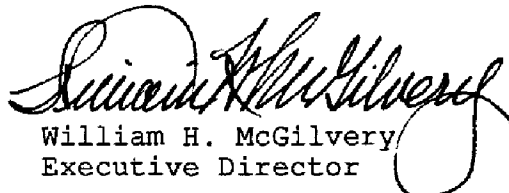
THEREFORE, IT IS ORDERED:

1. That Palma's Tour Inc. is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

2. That Palma's Tour Inc. is hereby directed, within 30 days of the date of this order or such additional time as the Commission may direct or allow, to file: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 3623; (b) five copies of its General Tariff No. GT-1 in accordance with Commission Regulation No. 55; (c) evidence of ownership, or a lease as required by Commission Regulation No. 62, for each vehicle to be used in revenue operations; and (f) an affidavit of identification of vehicle(s) pursuant to Commission Regulation No. 61, for which purpose WMATC No. 188 is hereby assigned.

3. That, upon timely compliance with the requirements of the preceding paragraph and acceptance of the materials required by the Commission, Certificate of Authority No. 188 shall be issued to Palma's Tour Inc. as appended to this order.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS SCHIFTER AND SHANNON:

  
William H. McGilvery  
Executive Director

**WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION**

**CERTIFICATE OF AUTHORITY**

**NO. 188**

**Palma's Tour Inc.  
4450 South Park Avenue, #303  
Chevy Chase, Maryland 20815**

*By Order No. 3802 of the Washington Metropolitan Area Transit Commission issued August 6, 1991;*

*WHEREAS, the above-named carrier is entitled to receive authority to transport passengers within the Washington Metropolitan Area Transit District;*

*THIS CERTIFICATE OF AUTHORITY is hereby issued to the named carrier as evidence of the authority to engage in the for-hire transportation of passengers by motor vehicle; subject, however, to such terms, conditions, and limitations as are now, or may hereafter be, attached to the exercise of the privilege granted to the named carrier:*

*IRREGULAR ROUTES, transporting passengers between points in the Washington Metropolitan Area Transit District;*

*RESTRICTED TO (1) operations conducted according to the named carrier's applicable tariff on file with the Commission and (2) transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver; and*

*RESTRICTED AGAINST (1) transportation solely within the Commonwealth of Virginia and (2) any passenger transportation for hire on an individual fare paying basis in competition with any existing, scheduled, regular-route, passenger transportation service performed by, or under a contract with, the Federal Government, a signatory to the Compact, a political subdivision of a signatory, or the Washington Metropolitan Area Transit Authority.*

*THIS CERTIFICATE OF AUTHORITY DOES NOT AUTHORIZE ANY TRANSPORTATION BY ANY PERSON OTHER THAN THE CARRIER NAMED HEREON.*

*THIS CERTIFICATE OF AUTHORITY IS NOT VALID UNLESS THE CARRIER NAMED HEREON IS IN COMPLIANCE WITH THE INSURANCE REQUIREMENTS OF THE COMMISSION.*

*IT IS A FURTHER CONDITION of this certificate of authority that the carrier named hereon shall (a) provide safe and adequate transportation service, equipment, and facilities and (b) observe and enforce Commission regulations.*

